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2307U-107 / UC205-80

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
Robert L. Lundak) RECEIVED
Serial No. 247,656)
Filed: March 26, 1981)
For: HIGH FUSION FREQUENCY)
FUSIBLE LYMPHOBLASTOID)
CELL LINE)
Art Unit: 172 SEP 8 1982
OFFICE OF ASSISTANT
PETITION UNDER RULE 13 FOR PATENTS

San Francisco, CA 94105

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Sir:

Applicant by his attorney petitions that the subject application be accorded a filing date of April 2, 1981. The subject application was deposited with the Patent Office on March 26, 1981, followed by deposit of the organisms which are the subject matter of the subject application on April 2, 1981 in accordance with In re Argoudelis as evidenced by the accompanying letter from the ATCC. In view of the above, it is believed that under 37 CFR §1.53, the subject application should be given an effective filing date of April 2, 1981, and the Commissioner is earnestly requested to designate this application as having that filing date.

Respectfully submitted,

TOWNSEND and TOWNSEND

Date

Sept 7, 1982

By Bertram I. Rowland
Bertram I. Rowland
Reg. No. 20, 015

BIR/gs
Enclosure
1. ATCC letter 4/26/81



American Type Culture Collection

12301 Parklawn Drive, Rockville, Maryland 20852 USA 301-881-2600 Telex ATCCROVE 908-768

Since 1925
an independent non-profit
organization incorporated in
Washington, D.C. and devoted to
the preservation of reference
cultures and their distribution to
the scientific community

AFFILIATED ORGANIZATIONS:

American Association of Immunologists

American Institute of Biological Sciences

American Phytopathological Society

American Society of Biological Chemists

American Society for Microbiology

American Society of Parasitologists

American Society of Zoologists

American Society of Medicine and Hygiene

Genetics Society of America

Infectious Diseases Society of America

Mycological Society of America

National Research Council-Academy of Sciences

Society of Protozoologists
Sue Culture Association

23074-107
The American Type Culture Collection (ATCC) has received your deposit of a culture in connection with the filing of an application for a patent. The following information is provided to fulfill the Patent Office requirements.

Name and Address of Depositor: Mr. Bertram I. Rowland, Esq.
Townsend and Townsend
5 Palo Alto Square
Palo Alto, California 94304

On behalf of Dr. Robert L. Lundak and the Regents of the University of California, Riverside

Date of Receipt of Cultures by the ATCC: 4-2-81

<u>Scientific Description</u>	<u>Depositor's Reference</u>	<u>ATCC Accession Number</u>
Human lymphoblastoid B-cell line	W1-L2-729 HF ₂	CRL 8062

The ATCC understands that:

1. The deposit of this culture does not grant to ATCC during the effective term of the patent anticipated a license, either expressed or implied, to infringe the patent, and our release of this culture to others does not grant them a license, either expressed or implied, to infringe the patent.
2. If this culture should die or be destroyed during the effective life of the patent it shall be your responsibility to replace it with a living culture of the same organism. It is also your responsibility to supply a sufficient quantity for the period of storage specified below.

The ATCC agrees that in consideration for a one-time service charge, not to distribute this culture or any information relating thereto or to its deposit until such time as a patent has been issued disclosing the above deposit except in accordance with U. S. Patent Office Rule of Practice, Rule 14, or until you authorize us to make this strain available. After a patent is issued and we are so informed the cultures will be made available for distribution to the public. The ATCC agrees to maintain the culture for a period of 20 years from the deposit date. Nonpayment of the service charge within 90 days of the deposit date relieves the ATCC from the above provisions.

American Type Culture Collection

Date: April 26, 1981

By: Bobbie A. Brandon
(Mrs.) Bobbie A. Brandon, Head
Professional Services Department

cc: Mr. Roger G. Ditzel
Patent Administrator

Ms. Kathy Krause
Townsend and Townsend